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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन
के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed
as a separate compilation

LOK SABHA

The following Bills were introduced in Lok Sabha on the 9th March, 1984:—

BILL No. 140 OF 1983

A Bill further to amend the Regional Rural Banks Act, 1976.

BE it enacted by Parliament in the Thirty-fourth Year of the Republic of India as follows:—

1. (1) This Act may be called the Regional Rural Banks (Amendment) Act, 1983.

(2) It extends to the whole of India.

(3) It shall come into force at once.

21 of 1976.

2. In section 8 of the Regional Rural Banks Act, 1976 (hereinafter referred to as the principal Act), after sub-section (2), the following sub-section shall be inserted, namely:—

“(3) Officers and employees of the Regional Rural Banks shall be given full participation in management.”.

3. In section 9 of the principal Act, in sub-section (1), after clause (c) the following clause shall be inserted, namely:—

“(d) not more than two directors, elected by the employees of the Regional Rural Bank or nominated by their Union.”.

Short
title,
extent
and com-
mence-
ment.

Amend-
ment of
section 8.

Amend-
ment of
section 9.

ment of
section 17.
Amend-

4. In section 17 of the principal Act,—

(i) in sub-section (1) in the second proviso, for the words "State Government and the local authorities of comparable level and status in the notified area", the words "scheduled banks" shall be substituted,

(ii) for sub-section (2), the following sub-section shall be substituted, namely:—

"(2) Provisions of the Industrial Disputes Act, 1947 and the Industrial Employment Act, 1946 shall be applicable to the employees of Regional Rural Banks."

14 of 1947.
20 of 1946.

Insertion
of new
section
17A.

5. After section 17 of the principal Act, the following section shall be inserted, namely:—

Incentives to
and
service
conditions
of em-
ployees.

"17A. (1) Special incentives, amenities and facilities required for proper discharge of duties and functions shall be provided by the Regional Rural Banks to its employees so as to boost their morale and to enlarge the rural banking activities.

(2) Proper promotional policy shall be framed and implemented for the benefit of employees.

(3) All employees shall be regularised and confirmed after six months service on the pattern of scheduled banks.

(4) The Service conditions of employees, including officers, of Regional Rural Banks shall be at par with those of the corresponding category of employees in scheduled banks in all respects.

(5) All facilities, amenities and benefits provided to the employees of the scheduled banks shall be provided to the officers and the employees of the Regional Rural Banks and there shall be no disparity or anomaly in all such matters between them.

(6) There shall be regular meetings between the management and the employees through their Union in respect of the demands of workers and expectations of management from workers and if the management and the representatives of the workers disagree on a matter, the same shall be referred to a mutually agreed third party, whose decision shall be binding on both, the management and the workers."

STATEMENT OF OBJECTS AND REASONS

At present, more than 30,000 employees are working in over 7,500 branches of about 145 Regional Rural Banks in the country. These banks were established by an Ordinance in 1975 to ameliorate the lot of weaker sections of the society, particularly in the rural areas, in pursuance of the 20-Point Programme of the Prime Minister of India. These banks have achieved considerable growth in the deposits and advances within about 7 years of their functioning due to the dedicated service of their employees. But the employees of these banks are not being treated at par with their counterparts in other commercial banks in the country in the matter of their pay, allowances, service conditions, rights, privileges, etc. despite the nature of duties and responsibilities of all the employees in both the categories of banks being more or less the same rather more onerous in the case of the Rural Banks' employees.

Under the provisions of the proposed Bill, the service conditions of the employees of Regional Rural Banks, including officers, are sought to be brought at par with those of the corresponding categories in the banking industry in all respects and to allow them full participation in the management of the banks. It is also proposed to make applicable the provisions of Industrial Disputes Act, 1947, Industrial Employment Act, 1946, etc. to them. The existing disparities in their service conditions as compared with those of their counterparts in commercial banks are sought to be removed by this Bill.

NEW DELHI;

ANWAR AHMAD

August 30, 1983.

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for appointment of not more than two directors, elected by the employees of the Regional Rural Banks or to be nominated by their unions. Clause 5 provides, *inter-alia*, for special incentives, amenities and facilities to employees. It also provides that all facilities, amenities and benefits provided to employees of the scheduled banks shall be provided to the officers and employees of the Regional Rural Banks. The Bill, therefore, if enacted, will involve expenditure from the Consolidated Fund of India. It is likely to involve a recurring expenditure of about rupees five lakhs per annum.

It is also likely to involve a non-recurring expenditure of about rupees one lakh.

BILL No. 3 of 1984

A Bill further to amend the Constitution of India.

BE it enacted by Parliament in the Thirty-fifth Year of the Republic of India as follows:—

1. (1) This Act may be called the Constitution (Amendment) Act, 1984.

Short
title and
commen-
cement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. In the Seventh Schedule to the Constitution,—

Amend-
ment of
Seventh
Schedule.

(a) in List I—Union List, for entry 56, the following entry shall be substituted, namely:—

“56. Water, that is to say, water supplies, irrigation and canals, water storage and water power including regulation and development of Inter-State rivers and river valleys.”;

(b) in List II—State List, entry 17 shall be omitted.

STATEMENT OF OBJECTS AND REASONS

Water is the most precious gift of nature to India. It is a *sine qua non*, not only for the economic development but also for meeting the growing food requirements of the country. The total surface water available to our country is nearly 1440 million acre ft. of which only 220 million acre ft. of water are now being used, particularly when nearly a third of the country is drought prone.

It has been estimated that the plans evolved by State Governments can utilise not more than 540 million acre ft. of water. This includes the use by a large number of inter-State river schemes benefiting more than one State on which understanding would have to be reached on planning and implementation.

If we take a national view and harness major inter-State and international rivers in the larger interest of the country as well as neighbouring countries, the benefit would increase considerably. At least 180 million acre ft. more water could be utilised in our country. 40 million KW of power can be generated and perennial inland navigation can also be provided.

Hence the Bill seeks to transfer the subject of development and management of water resources from the State List to the Union List to enable the Union Government to formulate plans, for the speedy execution of irrigation, power and other river water schemes.

NEW DELHI;
November 24, 1953.

K. T. KOSALRAM

BILL NO. 9 OF 1984

A Bill further to amend the Salaries and allowances of Minister Act, 1952.

BE it enacted by Parliament in the Thirty-fifth Year of the Republic of India as follows:—

1. This Act may be called the Salaries and Allowances of Ministers (Amendment) Act, 1984.

Short
title.

58 of 1952. 2. For section 3 of the Salaries and Allowances of Ministers Act, 1952, the following section shall be substituted, namely:—

Substi-
tution of
Section 3.

“3. There shall be paid to each Minister, other than a Deputy Minister, a salary of four thousand rupees per mensem, and to each Deputy Minister a salary of three thousand rupees per mensem.”.

Salaries
of Minis-
ters.

STATEMENT OF OBJECTS AND REASONS

The Salaries and allowances of Ministers were fixed in 1952 by the Salaries and Allowances of Ministers Act, 1952 (58 of 1952). Since then these have not been revised. With the steep rise in prices, it has become necessary to revise the salaries and allowances of the Ministers. It is, therefore, proposed to amend the Act to increase the salary of a Minister from two thousand two hundred and fifty rupees per mensem to four thousand rupees and that of a Deputy Minister from one thousand seven hundred and fifty rupees per mensem to three thousand rupees.

Hence this Bill.

NEW DELHI;
February 3, 1984.

MOOL CHAND DAGA

FINANCIAL MEMORANDUM

Clause 2 of the Bill provides for increasing the salary of a Minister from two thousand two hundred and fifty rupees per mensem to four thousand rupees per mensem and that of a Deputy Minister from one thousand seven hundred and fifty rupees per mensem to three thousand rupees per mensem.

The Bill, therefore, if enacted, will involve expenditure from the Consolidated Fund of India. It is likely to involve an additional annual recurring expenditure of about rupees one lakh only.

No non-recurring expenditure is likely to be involved.

BILL NO. 8 OF 1984

A Bill further to amend the Constitution of India.

BE it enacted by Parliament in the Thirty-fifth Year of the Republic of India as follows:—

1. This Act may be called the Constitution (Amendment) Act, 1984.

Short
title.

2. In article 200 of the Constitution, for the words “the Governor shall declare either that he assents to the Bill or that he withholds assent therefrom or that he reserves the Bill for the consideration of the President:”, the words “the Governor shall, as soon as possible and in any case not later than three months after the presentation to him of the Bill for assent, declare either that he assents to the Bill or that he withholds assent therefrom:” shall be substituted.

Amend-
ment of
article
200.

3. In article 201 of the Constitution, for the words “the President shall declare”, the words “the President shall, as soon as possible and in any case not later than three months after the Bill has been reserved by the Governor for the consideration of the President, declare” shall be substituted.

Amend-
ment of
article
201.

STATEMENT OF OBJECTS AND REASONS

Articles 200 and 201 of the Constitution provide for assent to the Bills passed by State Legislatures. The Bills passed by the State Legislatures shall be presented to the Governor and the Governor shall declare either that he assents to the Bill or that he withholds assent therefrom or that he reserves the Bill for the consideration of the President. There are two infirmities in this process. One is that there is no time limit for the Governor for declaring his decision. Second is that there is general discretionary power with the Governor to reserve any Bill for consideration of the President, while there is no specific provision in the Constitution, except in the second proviso to article 200 and clause (2) of article 288, which requires a Bill passed by a State Legislature to be reserved for the consideration of the President. Under the second proviso to article 200, the Governor shall reserve for the consideration of the President any Bill which, in the opinion of the Governor, would, if it became law, so derogate from the powers of the High Court as to endanger the position which that court is by the Constitution designed to fill. Under clause (2) of article 288, no law of the Legislature of a State seeking to impose any such tax as is mentioned in clause (1) of that article shall have effect unless it has, after having been reserved for the consideration of the President, received his assent.

The experience during the last 35 years has shown firstly, that the Governor often takes unusual time to declare his assent to the detriment of the people by causing delay to give effect to the mandate received from the electorate by the power that be; and secondly, the Governor may withhold his assent to the Bills and reserve for the consideration of the President any Bill whether covering a subject falling under the State List or the Concurrent List, which again refrains the power that be from expeditiously giving effect to the mandate obtained by it from the people. Instances are there which show that some Bills passed by the State Legislatures were not given presidential assent even after two and a half years from the date of their receipt by the President. The West Bengal Land Reforms (Amendment) Bill, 1981, remains yet to be assented to by the President. This has refrained the State Government of West Bengal from giving effect to the Land Reforms (Amendment) Bill, 1981, which seeks to plug the loop-holes through which considerable quantity of land has been retained by the big landlords. It is estimated that about 40 lac acres of surplus land will be available, if the Bill is made into a law and strictly enforced. If a time limit is imposed within which the Governor and the President shall dispose of the matter, this kind of situation may be averted. At the same time, the Governor's right to reserve the Bills for the consideration of the President should be confined only to those Bills passed by a State Legislature which are required to be reserved for the assent of the President under the specific provisions of the Constitution. The general discretion given to the Governor at present in this regard under the existing provisions of article 200 should be withdrawn.

Hence this Bill.

NEW DELHI;

CHITTA BASU

February 3, 1984.

BILL NO. 10 OF 1984

A Bill to amend the Foreign Contribution (Regulation) Act, 1976

BE it enacted by Parliament in the Thirty-fifth Year of the Republic of India as follows:—

1. (1) This Act may be called the Foreign Contribution (Regulation) Amendment Act, 1984.

Short
title
extent
and com-
mence-
ment.

(2) It extends to the whole of India.

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

49 of 1976.

2. After section 6 of the Foreign Contribution (Regulation) Act, 1976 (hereinafter referred to as the principal Act), the following section shall be inserted, namely:—

Insertion
of new
section
6A.

“6A. Notwithstanding anything contained in this Act, no foreign contribution shall be accepted by any organisation of a political nature or by any organisation engaged in voluntary social work or having definite religious programme for a period of three years from the date of commencement of the Foreign Contribution (Regulation) Amendment Act, 1984:

Social
and
religious
organisa-
tions not
to accept
foreign
contribu-
tions.

Provided that in case foreign contribution is necessary for running such organisations and if foreign contribution is offered by social organisations of foreign countries, it will be accepted by the Central Government only and disbursed by that Government to such organisations:

Provided further that the organisations so receiving foreign contribution through the Government shall furnish, within such time and in such manner as may be prescribed by the Central Government, a statement showing the details of amount received by them, the purpose for which and the manner in which, such foreign contribution was utilised by them.”

STATEMENT OF OBJECTS AND REASONS

There are a large number of organisations in the name of social work which have been receiving large amounts of foreign funds. It has been seen that the funds are being misused by these organisations. There has been a great inflow of foreign money that is being provided to these organisations by various countries and is being utilised by them not for social work but for achieving political ends. These funds have been used to bribe the people which has resulted in increase in corruption. These funds have also been used to obtain secret information of the country and for creating disturbances in the country. Various religious organisations which have also received the foreign money are using it for conversion from one religion to another taking advantage of the poverty of the country. This misuse of foreign funds has created disturbances in the country. Even the political parties are receiving large amounts of funds from the foreign countries resulting in great deterioration in the law and order situation in the country. Therefore, it is high time that suitable legislation is passed to put a ban on the acceptance of foreign funds by social and religious organisations and the misuse of these funds by these organisations. Initially this ban should be for a minimum period of three years and after three years it may again be reviewed.

Hence this Bill.

NEW DELHI;
February 6, 1984.

B. V. DESAI

SUBHASH C. KASHYAP,
Secretary-General.